REMARKS

Claims 1-27 are pending in the application. Of these, claims 13-17 and 26 are allowed. Claims 4-7, 9-12, 20, and 23-25 are objected to as being dependent upon a rejected base claim. Claims 1-3, 8, 18, 19, 21, 22, and 27 are rejected as unpatentable.

In response, page 17, equation (1) of the specification has been amended to correct minor editorial problems. Claims 1, 5, 13, and 18 are amended. Claim 19 is canceled. New claims 28-40 have been added.

Claims 13-17: Rejected Pursuant to 35 USC 112

Claim 13 is rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 13 has been amended to recite "a first set of channels" in line 2 to provide sufficient antecedent basis. Claim 13 is now in condition for allowance. Claims 14-17 depend from amended claim 13 and are now also in condition for allowance.

Claims 1-3, 8, 18-19, 21, 22, and 27: Rejected Pursuant to 35 USC 103(a)

Regarding claim 1, the Examiner states that it would have been obvious to one of ordinary skill in the art to combine both Andersson (US 6,434,380) and Wong (US 2003/0002490) in order to modify the system of Andersson by incorporating the data rate control channel found in Wong. The Examiner further states that such modification can be made by implementing a separate reverse link channel for data rate control. However, claim 1 is specific to the forward link of a wireless communication system (Specification, pgs. 12-13). For further clarification, claim 1 has been amended to specifically recite the forward link. As such, it would not have been obvious to one of ordinary skill in the art to utilize elements of a reverse link for forward link transmissions. There would be no motivation or expectation of success in combining the cited elements of Andersson and Wong.

Furthermore, claim 1 teaches a signaling channel assigned to message transmissions wherein each message identifies a packet data target recipient. Specifically, in claim 1, the message identifies a packet data target recipient in a plurality of packet data recipients. Conversely, Wong teaches a method of determining which mobile stations in a plurality of mobile stations can transmit reverse link data to a <u>particular</u> base station. The message sent from the mobile stations merely identifies a single base station as opposed to identifying a single base station in a plurality of base stations. In Wong, there is only a single "target recipient" whereas in claim 1, the message identifies a target recipient amongst a plurality of target recipients.

Accordingly, claim 1 has been amended consistent with the application and is now in condition for allowance. Claim 18 has been amended consistent with the amendment to claim 1.

Claims 2 and 3 depend from amended claim 1 and are now also in condition for allowance. Finally, the arguments given above for claim 1 are applicable to claims 8, 18, 21, 22, and 27.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

Dated: ___01/27/2004___ By: _Kent Baker_____
Kent D. Baker, Reg. No. 38,822
(858) 658-1930

QUALCOMM Incorporated
5775 Morehouse Drive
San Diego, California 92121
Telephone: (858) 651-4125
Facsimile: (858) 658-2502